Trial of Rev. Joy H. Fairchild, On the Charge of Adultery with Miss Rhoda

MARCH 24—AFTERNON SESSION.

in the afternoon, at half past three o'clock, the examination of Rhoda Davidson was resumed. Her countenance rather indicates modesty, but her manner of testifying neutralizes this impression somewhat, being rather flippant and confident. Rhoda Davidson, (examination resumed.) I arrived at home Saturday afternoon, and received a letter the next day from the Post Office. It was destroyed. A second was received and not preserved. A third was received. This is the one, (a letter shown in court.) This letter had the Boston post-mark. Mr. Parker then read the letter, which was admitted to be Mr. Fairchild's, although anonymous. It was addressed to Miss Rhoda Davidson, Edgecomb, Me.

made the work easy for me. I did not state this at Exeter, because I thought it was not necessary. I was told to tell the whole truth, and I did all I thought bore on the subject. I did not think of this I con't recollect whether I said any thing at Exeter about money. I did about omnibus tickets I think I have stated many things here that I did not state at Exeter. I remember now many additional facts that I did not romember then, or before the Grand Jury. I don't know that I stated many things at Exeter that I have not stated here.—At Exeter I remembered the scene as having occurred above, but did not mention it for the reason stated. I said at Exeter that the first communication was in the attic. I also stated itso before the Grand Jury, being some agitated. Or reflection, I thought it best to tell the truth, as it was, so as not to have it give the kie to what was actually done. Now II recollect it as I have stated it has, and state it as I recollect, (all this was prety pointed.) I stated at Exeter, that when he came into the attic, it was so dark I could not see whether he was in his night clothes or not. I did not think it was necessary as I told the slory at Exeter. I could not find a place to have this come in. Now it comes in right. I thought it did no hart to place the scene in the attic, although it occurred below, because I thought morally, it was immuterial. When he came into the attic, it was dark, and I heard a voice, but eaw no man. I did not take at Exeter about covering up my head, on account of having left it out in order to make it blend right. I did not toke my nutrery chamber below. When Mr. F. came to the attic, I did not think he meant any thing improper, even when he went away. I said at Exeter, as I remember, that I slept in the attic. I don't know that I ever thought of securing my door by locking it. I can't tell any thing about it. I was awoke by Mr. F. asying—"Chick, are you asleep?" He often called me by that name, though I don't know that few returned to my them to the resonance

the 18th of September, 1842. On Christmas that year, 1841, I was at Mra. Hoyt's. I believe I was there at dinner. I don'trecollect of going to church that day, or of leaving Mr. Hoyt's house. I heard of Mr. Chapin's wanting a girl one or two weeks before I went to Abington. I made the call at Mr. Fairchild's after I saw Mrs. Johnson. I had not engaged to go to Abington, when I called on Mr. F. I don't recollect of stating at Exeter that Mr. F. sever had intercourse with me but once out of the attic; I did not feel afraid to go to Mr. F's. study, because I felt that I could have my own way with him; and I so stated at Exeter; he obtained his will of me then by force; I did not scream because I did not think of it; I never said at Exeter that I did not scream because I was afraid or alarming in swife and children; I think Mr. F. is a vicious man now, and that his conduct was vicious then; I reasoned out that adultery was a crime afterwards; Lived at Mrs. Twombley's six months; my father came to see ms twice at Mr. F's; he was kindly treated; Mrs. Esty also came; I never told either of them that I had been ravished; my sister Ann wiso came to see me; I never told her; when I went out this forcuoon, I staid in the Grand Jury room; I stop at my sister's in South Boston.

The Court then adjourned to nine o'clock tomorrow.

room; I stop at my sister's in South Boston.

The Court then adjourned to nine o'clock to-morrow.

New York Legislative Summary—In the Serate —Petitions were presented for and against the passage of the excise bill—among the latter, five from Albany, and one, signed by over 4000 names, from New York Mr. Varney reported back the Excise bill, so amended as to except from its operation the city of New York, the amendment being for the consideration of the Senate. The bill was made the special order for Monday next. The bill in relation to ball in the court of chancery was passed through the committee of the whole. The bill is relation to State Prisons was then taken up. A motion to reconsider the vote by which the four first sections were struck out, was debated between Mr. Clark, in favor, and Mr. Porter sgainst it. An effort was made to refuse the committee of the whole to sit again, but was unsuscuessful. The committee of the whole then took up the bill in relation to distress for rent. That bill was set aside and an amendment reported by the judiciary committee, understood to be applicable to the property of third persons, was considered. Os motion of Mr. Clark, the question of agreeing to the report was laid on the table. On motion of Mr. Jones, the Senate went into executive session.

In the House—Among the petitions presented was one by Mr. Oakley, of mechanics of New York and Brooklyn, urging the proposed appropriation for the Northern State Prison, and another by Mr. Carpenter, of a large number of Seventh day Bapisto of Edmeston, against the closing of the causal locks on the first day of the week. D Lee submitted an elaborate report in favor of the causal locks on the first day of the week. D Lee submitted an elaborate report in favor of the more general diffusion of agricultural knowledge and the kindred sciences—not without seme objections, on the altery of the supervisors of the several counties, in their discretion, to abolish the office of County Superintendent in their respective to the supervisor

Distrairer Arronary.—From what you saw and heard on that occasion, who was Big Thunder?

Mr. Jeanax—I object to the, sig.

The Court overruled the objection as it was up and decided before.

Wirnass.—I was of opinion it was Dr. Boughton, from what I had heard and seen, but I don't swear positively—(Looks at the dressee,)—I won't swear positive, but I iniak that was Big Thunder's dress : it is either that, or one that resembles it: I was present when Dr. Boughton was arrested at Smokey Hollew by the Sheriff, on the evening of the same day, in the long ball room; there were a dozen or fifteen in the room: I was near the Sheriff, who came up and tapped prisoner on the shoulder, and said. "Dr. Boughton, you are my prisoner," I did not see any one pointing him out to the Sheriff. Dr. B. said "You are my interested and the prisoner of the sheriff replied," I am not: I got acquainted with you at Copples—I measured you, Doctor—I saw yout eyes, your and the process." I roollect itself replied, by virtue of a civil process." I roollect itself replied, by virtue of a civil process." I roollect sheriff replied, by virtue of a civil process." I roollect sheriff replied, by virtue of a civil process." I roollect sheriff replied, by virtue of a civil process." I roollect sheriff replied, by virtue of a civil process." I roollect sheriff replied, "we will not concle, and before we got to it a souffle ensuel from the white it might be a half or three quarters of an hou; it was a busy time: I rode with them home: heard some conversation: finely the sheriff is a pood deal more was said among the of us, collectively, but I can't recal much of it! Dr. B. going along, was talking of taking no man's property: the Sheriff a good deal more was said among the of us, collectively, but I can't recal much of it! Dr. B. going along, was talking of taking no man's property: the Sheriff a good deal more was said among the of us, collectively, but I can't recal much of it! Dr. B. going along, was talking of taking no man's property: the Sherif

bown of Gallatin: I saw Boughton on the 20th of November in Mr. Frelight's, in Gallatin: I had some conversation with hims: he asked me if I was deputy sheriff—if he could: after getting into the room he introduced himself to me: asked my younne: I told him: I asked him by what name I should have the could have the coul

Mr. Jordan—Does the Court decide that I am not to call the winces as I please?
Arronavy Gawran—Certainly not.
Judge Parker—Not at all; the witness must be addressed properly; I will note your objection.
Wyrass—I did not tell the sheriff when he was trying to identify the prisoner: I don't know why I did not tell him: I had no conversation with him about the matter: I did not drink any that day: I have been in town since they were arrested, and saw the sheriff frequently: I have said I thought I did not know a great deal about the business, since I have been subpossed: I have said so to John silvernai! I don't remember to have told anybody I was subpossed: I think Mr. Boughton called up some whistey at Freigh's: four or five came up and helped him to drink it: I don't know whether they know him or not, or who speke to him: I was not introduced to him farther than that Mr. Wheeler told him I was a deputy sheriff: there was a meeting at Gallatin that day, and Dr. B. was a dead of the control of the

my mind at the time that these two persons were the same as positively as any thing I could not positively swear to: I have had no occasion to alter my mind: I have not altered it.

Cross examined.—Half soled boots are not rare things, neither are kip or stout calf skin: the shape of the boots was peculiar: nothing more than what would be about any pair half soled: there was nothing else by which to judge of the man but what I have stated: I had heard there was such a character as Big Thunder some where in the county; had heard of Dr. B. too: had heard he was lecturing and delivering speeches, and that the Sheriff's papers were taken: I had heard opinions, but had acever expressed it as mine that it was Big Thunder: I had no impression about it before I went to Smokey Hollow: I was about twenty feet from Big Thunder when he was son the piazza and spoke; I could form my judgment about a pair of boots at that distance: I think a shoemaker can tell a hoot better than another man: from the expression, independent of the boots, I should have judged it was Big I hunder.

about twenty lest from Big Thunder when he was en the pizza and spoke; toculd form my judgment about a pair of boots at that distance: I think a shoemaker can toil a hoot better than another man: from the expression, independent of the boots, I should have judged it was Big i hunder.

Augustus, Sullicex, sworn.—I was at Smokey Hellow on the 18th December and heard Dr.Boughton speak, he said, the Renassiters, Livingstons, Armatrongs, Clarkes, and Kings and others, need not attempt to frighten them from their rights, nor to crive them, for Luttle Thunder with the of his warriors would defy the strong-st posse they would bring on: that they would not lay down the housakew here buy the cosping Ruise until Cross examined.—I did not stay till the last part of his speech—this was shout the middle! I took no notes of the speech; some of their leares he thought were oppressive, and the rents and regulations he du not like, as higher than they could pay to support others in luxury; he thought they had a right to redees, to discussion and to address and petition the Legislature to investigate the matter; I did not see the man who came out in disguise; I understood him to say that they were not willing to have these suits brought in the county when Mr. Livingson could jingle \$1000 into thejlawyers pockets and the judges hands.

Mr. Joanan.—And you supposed that to be a technical point did you 1—(Laughter).

Wirnasa.—Yea.

Mr. Joanan.—And you supposed that to be a technical point did you 1—(Laughter).

Wirnasa.—Yea.

Mr. Joanan.—And you supposed that to be a technical point did you 1—(Laughter).

Joan Hannex.—I was siCopake on the 18th December, was in the carriage with Dr. Boughton and the Sheriff on the way in: think I heard Dr. Boughton say he had done roothing he could be taken up for; the Sheriff said he had, pointed his pisted at him: Mr B. said it was no more than any parson would have done under similar circumstances: the Sheriff toid him it was, he thought, a bold move taking his paper should have been up to the co

This witness underwent a some creation of the a view to show a discrepancy in her testimony on the present and former trials. She stated as her reason or not speaking of the blood the night of the fire was that befeared she would be called on the trial at the Coroner's

miles. She essured and has the un not examine the purce of carpet.

Mr. Whit has here proposed to examine the witness in relation to the contents of a bundle which the witness, he id, had seen stold Mrs. Bousemans, with a view to show that some of the articles contained in the bundle were found in the drawers at young Mrs. Housemans.

Mr. Grarkan objected, unless such first Housemans.

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Mr. Whit is a been committed, the motive may be given for the commission of that nurder; and if a robbery, is an inclined to think the testimony is admissible.

Mr. Whit is a bundle. We want to show that the contents were in the drawers of the bureau at the house of young Mrs. Houseman the night of the fire. We want to trace thesetarticles to old Mrs. Houseman.

Mr. Grarkan—So is bundle. We want to show that the contents out trace thesetarticles to old Mrs. Houseman.

Mr. Grarkan—So far from objecting to the introduction of such an issue, I have stated that we court investigation; but at the same time, we must have the testimony of such a character so as to councet the prisoner. If, in any stage of the case, such testimony can be introduced, we court if; but we will not suffer a separate issue to come in to easile the prisoner. The party must connect the prisoner. It him is it he right course, and it may be right to state this to the Court, as I know what was the course of the last trial.

Govar—I am sure the Court and the jury will be able to discriminate properly in regard to the councion of the prisoner. The right is the sent many who will be able to discriminate properly in regard to the councion of the prisoner. The right is a sent that to the content of the prisoner. The is the summary whose will, according to the prisoner but in the bundle was the sent many and the testimony.

Mr. Grarkam—There is manifest di-diction between the bundle were at the bundle may be a link in the bundle were at the house of young Mrs. Housema